

ORDINANCE NO. 91-53

1 AN ORDINANCE OF THE BOARD OF COUNTY
2 COMMISSIONERS OF PALM BEACH COUNTY,
3 FLORIDA AMENDING ORDINANCE NO. 89-11
4 RELATING TO THE REDEVELOPMENT TRUST FUND
5 FOR THE WESTGATE/BELVEDERE HOMES
6 COMMUNITY REDEVELOPMENT AGENCY; PROVIDING
7 FOR THE RETURN OF TAX INCREMENT FUNDS
8 ONLY WHEN SUCH FUNDS REMAIN UNCOMMITTED
9 BY CONTRACT AND AFTER THE PAYMENT OF
10 EXPENSES; PROVIDING FOR REPEAL OF LAWS IN
11 CONFLICT; PROVIDING FOR SEVERABILITY;
12 PROVIDING FOR INCLUSION IN THE CODE OF
13 LAWS AND ORDINANCES AND PROVIDING FOR AN
14 EFFECTIVE DATE.

15 WHEREAS, the Board of County Commissioners of Palm
16 Beach County approved a Resolution finding that a slum and
17 blighted area exists in the Westgate/Belvedere Homes area of
18 Palm Beach County and that the rehabilitation, conservation
19 and redevelopment of the Westgate/Belvedere Homes area is
20 necessary to the public health, safety, morals and welfare of
21 the residents of Palm Beach County; and

22 WHEREAS, the Board of County Commissioners of Palm
23 Beach County made a further finding that there is a need for
24 a community redevelopment agency, and created the
25 Westgate/Belvedere Homes Community Redevelopment Agency
26 (Westgate/Belvedere Homes CRA) pursuant to Ordinance; and

27 WHEREAS, the Board of County Commissioners of Palm
28 Beach County approved a community redevelopment plan for the
29 Westgate/Belvedere Homes CRA; and

30 WHEREAS, Section 163.387, Florida Statutes (1987) of
31 the Community Redevelopment Act of 1969 mandates the
32 establishment and funding of a redevelopment trust fund for
33 the Westgate/Belvedere Homes CRA.

34 WHEREAS, the Board of County Commissioners of Palm
35 Beach County adopted Ordinance No. 89-11, which created the
36 Redevelopment Trust Fund for the Westgate/Belvedere Homes
37 Community Redevelopment Agency, on June 20, 1989; and

38 WHEREAS, the need exists to clarify when the Agency
39 must return tax increment funds in Section 2.09 of Ordinance
40 89-11.

41 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF

COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

I. AMENDMENT TO SECTION 2.09

Section 2.09 of Ordinance 89-11 shall be amended to read as follows:

On the last day of the fiscal year of the Westgate/Belvedere Homes CRA, any money which remains in the trust fund uncommitted by an executed contract and after the payment of operating expenses and expenses pursuant to section 2.07 for such year shall be:

A. Returned to each taxing authority which paid the increment in the proportion that the amount of the payment of such taxing authority bears to the total amount paid into the trust fund by all taxing authorities within the redevelopment area for that year;

B. Used to reduce the amount of any indebtedness to which increment revenues are pledged; or

C. Deposited into an escrow account for the purpose of later reducing any indebtedness to which increment revenues are pledged.

II. REPEAL OF LAWS IN CONFLICT:

All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provision of this ordinance are hereby repealed.

III. SEVERABILITY:

If any section, paragraph, sentence, clause, phrase, or word of this ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this ordinance.

IV. INCLUSION IN THE CODE OF LAWS AND ORDINANCES:

The provision of this ordinance shall become and be made a part of the code of laws and ordinances of Palm Beach County, Florida. The Sections of the ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

V. EFFECTIVE DATE:

The provisions of this ordinance shall become effective upon receipt of acknowledgement by the Secretary of State.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, on the 17th day of December, 19 91.

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

BY [Signature]
Chairman

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

[Signature]
COUNTY ATTORNEY

JOHN B. DUNKLE, CLERK
Board of County Commissioners

By [Signature]
DEPUTY CLERK

Acknowledgement by the Department of State of the State of Florida, on this, the 23rd day of December, 19 91.

EFFECTIVE DATE: Acknowledgement from the Department of State received on the 27th day of December, 19 91, at 3:44 P.M. and filed in the Office of the Clerk of the Board of County Commissioners of Palm Beach County, Florida.

(trustfun.d)